

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOE JOHNSON, JR.)
)
Petitioner,)
)
vs.) Case No. CIV-07-1148-F
)
JUSTIN JONES, Director,)
)
Respondent.)

ORDER

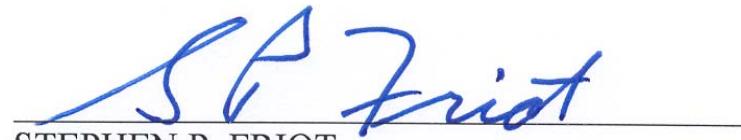
In this action petitioner seeks habeas relief under 28 U.S.C. § 2241. Petitioner appears *pro se*, and his pleadings are liberally construed.

Magistrate Judge Gary M. Purcell entered his Supplemental Report and Recommendation in this matter on December 5, 2007. (Doc. no. 20.) In that Report, the magistrate judge recommended that respondent's motion to dismiss be granted and that the petition be dismissed with prejudice. On December 13, 2007, petitioner timely filed his objection to the magistrate judge's Supplemental Report and Recommendation. (Objection at doc. no. 23.) Petitioner has also filed a motion to expand the record to include a video tape (doc. no. 22) and a motion to expand the record to include the audio tape of the October 10, 2006 disciplinary hearing (doc. no. 27). Respondent has objected to both motions, and petitioner has replied to those responses.

The court has reviewed all matters covered in the Supplemental Report and has given *de novo* review to all objected to matters. The court has likewise reviewed the matters raised by the two motions to expand the record. After careful consideration, both motions to expand the record are **DENIED** for the reasons stated in the respondent's objections to those motions, and the Supplemental Report and

Recommendation of Magistrate Judge Gary M. Purcell is **ACCEPTED, ADOPTED,** and **AFFIRMED** in its entirety. The petition for a writ of habeas corpus is **DISMISSED** with prejudice for the reasons stated in the Report.

Dated this 19th day of February, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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